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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/598,346   | 08/24/2006  | Bernhard Dollgast    | 078857.0182         | 2877             |
| 31625  | 7590        | 03/23/2009           | EXAMINER            |                  |
| BAKER BOTTS L.L.P.<br>PATENT DEPARTMENT<br>98 SAN JACINTO BLVD., SUITE 1500<br>AUSTIN, TX 78701-4039 |             |                      | DOUGHERTY, THOMAS M |                  |
|  |             | ART UNIT             |                     | PAPER NUMBER     |
|  |             | 2834                 |                     |                  |
|  |             | MAIL DATE            |                     | DELIVERY MODE    |
|  |             | 03/23/2009           |                     | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|  |                        |                     |  |
|--|------------------------|---------------------|--|
| <b>Supplemental<br/>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|  | 10/598,346             | DOLLGAST ET AL.     |  |
|  | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|  | Thomas M. Dougherty    | 2834                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 8/24/06.
2.  The allowed claim(s) is/are 1-14.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

***Drawings***

The drawings filed on 8/24/06 are approved by the Examiner.

***Allowable Subject Matter***

Claims 1-14 are allowed.

The following is an examiner's statement of reasons for allowance: Regarding claim 1, the prior art does not show nor fairly suggest a method for polarizing a piezoelectric first actuator comprising the steps of providing a first piezoelectric actuator with a number of layers arranged between two end surfaces and arranged with two electrodes sandwich each layer; applying changing voltage values in order to polarize the layers wherein at this time the first actuator is arranged between two retaining elements; provision of a second actuator in series with the first wherein the second actuator comprises two end surfaces and an end surface of the first actuator has an effective connection of an end surface to the second actuator; applying a compressive stress to both actuators via the outer end surfaces through the retaining elements and supplying this time, the first and second actuator with a first or with a second changing voltage for the purpose of polarization; defining after a start phase, the voltages which are applied to the two actuators in a manner whereby the sum of the two voltages is approximately constant over time, so that the total length of the two actuators, despite any change in the length of the two actuators generated by the voltages, is kept approximately constant over time.

Regarding claims 9 and 14, the prior art does not show nor fairly suggest a polarization apparatus and method which consists of a device comprising: a piezoelectric first actuator tensioned between two retaining elements of a pretensioning holder and connected via control lines with a control unit with a pretensioning force being able to be applied to the first actuator

via the retaining elements, a second piezoelectric actuator arranged between the first actuator and a retaining element which is connected via second control lines to the control unit, wherein the control unit after a start phase is operable during a polarization process to supply the first and the second actuator with polarization voltages with changing amplitudes in such a way that the length changes of the two actuators generated through the polarization voltages essentially balance out.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Direct inquiry to Examiner Dougherty at (571) 272-2022.

/T. M. D./

tmd

/Thomas M. Dougherty/

Primary Examiner, Art Unit 2834

March 16, 2009